

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES JACKSON,

Defendant.

CR. NO. S-03-0258 EJG

ORDER DIRECTING THE FILING OF
SUPPLEMENTAL BRIEF

Defendant, a federal prisoner proceeding pro se, has filed a motion for the return of property pursuant to Federal Rule of Criminal Procedure 41(g). The government has filed its opposition, and defendant has filed a reply. Factual questions raised in the motion remain unanswered after the filing of the responsive briefs. Accordingly, supplemental briefing is required.

In his motion for return of property, defendant lists numerous items taken from him at the time of his arrest in the underlying case. Specifically, defendant lists multiple diamond rings, gold bracelets and chains and a watch, in addition to

1 cash. The government's opposition, however, focuses solely on
2 property and cash seized at a residence pursuant to a search
3 warrant prior to defendant's arrest.

4 Rule 41(g) requires the court to receive evidence on any
5 factual issue necessary to decide the motion. Accordingly, the
6 government is directed to produce evidence in the form of
7 personal property records and declaration(s) from the personnel
8 at the Sacramento County Jail where defendant was booked
9 following his arrest on April 30, 2003, detailing what, if any,
10 property, specifically jewelry, was removed from defendant at the
11 time of his arrest and booking. Upon receipt of this
12 documentation, the matter will stand submitted.

13 The government's supplemental brief and evidence shall be
14 filed with the court and served on defendant within 30 days from
15 the filing date of this order.

16 IT IS SO ORDERED.

17 Dated: August 7, 2007

18 /s/ Edward J. Garcia
19 EDWARD J. GARCIA, JUDGE
20 UNITED STATES DISTRICT COURT
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